

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

)	Chapter 11
)	
In re:)	Case No. 00-1982 (GMS)
)	
GST TELECOM INC., <u>et al.</u>,)	Jointly Administered
)	
Debtors.)	
)	
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GST TELECOM INC., <u>et al.</u>,)	
)	Adv. Pro. No. 04-55890 (GMS)
Counterplaintiffs,)	
)	Civil Action No.: 04-CV-1380
v.)	
)	
JOHN WARTA,)	
)	
Counterdefendant.)	

AGREED MOTION FOR EXTENSION OF TIME

John Warta (“Warta”), by and through his undersigned counsel, hereby moves the Court for an extension of time to file his reply in support of his motion for summary judgment. In support of his motion, which is unopposed by GST, Warta states as follows:

1. Pursuant to the Case Management Order signed by the Court on December 9, 2004 (the “Order”), the deadline for filing dispositive motions was March 15, 2005. The Order provided for the briefing on dispositive motions to occur pursuant to the Court’s Local Rules. Warta filed a motion for summary judgment on March 15, 2005 (D.I. 39). GST filed its response to Warta’s Motion for Summary Judgment on April 5, 2005. Under the Court’s Local Rules, Warta has until April 12, 2005 to file his response.

2. Mr. Warta hereby seeks a brief one-week extension of the deadline to file his reply brief. Accordingly, Mr. Warta would have until April 19, 2005 to file his reply in support of his Motion for Partial Summary Judgment Regarding Counts I-IV of GST's Amended Counterclaim. GST does not oppose the present motion.

WHEREFORE, John Warta requests that his time to file his reply in support of his motion for summary judgment be extended as set forth above.

Wilmington, Delaware
Date: April 7, 2005

ASHBY & GEDDES, P.A.



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-and-

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JOHN WARTA,)	
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Counterdefendant.)	

AGREED ORDER

THIS MATTER COMING before the Court on the Agreed Motion for Extension of Time, the Court being duly advised in the premises, and pursuant to agreement between the parties, it is hereby Ordered that John Warta shall have an additional seven (7) days to file his reply in support of his Motion for Partial Summary Judgment Regarding Counts I-IV of GST's Amended Counterclaim. Mr. Warta's reply is now due on or before April 19, 2005.


Dated: _____, 2005

Gregory M. Sleet
United States District Court Judge

CERTIFICATE OF SERVICE

I, Ricardo Palacio, hereby certify that, on April 7, 2005, I caused one copy of the foregoing *Agreed Motion for Extension of Time* to be served upon the persons listed below by first class United States Mail, postage prepaid, or in the manner so indicated.

<u>HAND DELIVERY</u>	<u>U.S. MAIL & FACSIMILE</u>
Steven M. Yoder, Esq. Christopher A. Ward, Esq. The Bayard Firm Wilmington, DE 19801	William J. Gibbons, Esq. Danielle S. Kemp, Esq. Latham & Watkins Suite 5800 Sears Tower 233 South Wacker Drive Chicago, Illinois 60606 Facsimile: 312-993-9767



Ricardo Palacio (I.D. #3765)